

authority of the War Food Administrator, who knew about food and farm commodities, was reduced to the mechanical business of signing his name on a piece of paper.

About a year and a half ago, when Congress finally reached the breaking point on Mr. Chester Bowles' bungling of the Nation-wide meat situation, you may remember that there was a terrific battle which resulted in putting into the OPA continuation act—this was in 1945—a provision restoring the powers of the War Food Administrator, and ostensibly, giving him full authority over the entire agricultural commodity picture of the Nation.

Because of the way the Office of Economic Stabilization had behaved, in assuming the authority to order the War Food Administrator to approve these policies and orders of the OPA, a new provision was written into the law, which said that "Notwithstanding any other provision of this or any other law, no action shall be taken under this act, by the Administrator, without prior written approval of the Secretary of Agriculture, with respect to any agricultural commodity."

Senator BANKHEAD of Alabama was the author of that provision, and at the time it was finally decided upon, Mr. Chester Bowles, and the then Economic Stabilizer Fred Vinson, and War Food Administrator Marvin Jones, were all called down to Congress, and they were told that they had violated the intent of Congress. It was explained at the time that the provision which I have just read you—which, by the way, is the verbatim language of the law—was intended to mean that in the future, nobody, not even the President of the United States, should have the right to force the War Food Administrator to approve or consent to any of these orders or regulations by OPA.

Senator BANKHEAD said today that the exact wording of the provision was read to the three men, including Mr. Bowles, and it was made perfectly clear to them what it meant, and they understood what it meant.

Very well. That brings us up to the present time.

In the present case, it is Mr. Chester Bowles, and not Mr. Fred Vinson, who is Stabilization Director—and Mr. Bowles, as you know, has long been the darling of the Political Action Committee of the CIO, and the rest of the radical left wing group in and out of Government. They have wanted and advocated a roll-back in cotton prices, and many of them have advocated this very move as a method of rolling back those cotton prices. When the order was issued yesterday, they came out with their usual laudation of Mr. Bowles for issuing the order.

That much for background.

Now, for the current developments.

Secretary of Agriculture Clinton Anderson is now the War Food Administrator, and to him have descended the veto powers which Congress gave him in the 1945 Price-Control Continuation Act, which I have just cited to you.

When Economic Stabilizer Chester Bowles came along with this present order, it was referred to War Food Administrator Anderson, and on careful study he refused to give it his approval. Senator BANKHEAD stated today that he has information that the question was put up to Attorney General Tom Clark, for a decision, as to whether Mr. Anderson's approval on the order was necessary or not, and that Attorney General Clark ruled that it was—that the order could not be effective unless it had the written approval of War Food Administrator Anderson.

Thereupon, Mr. Chester Bowles, in his present role as Economic Stabilization Director, went back to the old process that was in use before Congress ever passed this Bankhead amendment, and issued a directive ordering War Food Administrator Anderson to sign the document, and it was only on the strength of that directive that

Mr. Anderson did so, yesterday, and the order went forth.

Once more let me say that whether it was a good idea or a bad idea to increase the margin requirement on cotton futures is entirely aside from the point. The cotton farmers of the South will think it was a vicious idea, and the people in metropolitan areas will think it was a good idea if it will help to bring down the price of clothing, which it probably will not.

But morals and integrity of Government far transcend any controversy about details of that kind. The question is whether this was a legal and ethical and legitimate procedure or whether it was a clear and direct violation of the express and clearly understood orders of the Congress. Senator BANKHEAD expressed the opinion this afternoon that this was a violation of law, but then he said a funny thing. He added that something ought to be done about it, but how in the world could anyone stir up any Nation-wide public sympathy on a cotton question that affects only the South?

I suggested to the Senator that while few people in the United States as a whole are interested one way or the other in the question of cotton futures, a whole lot of them are interested in the integrity of Government and in the legality of the activities and administration by appointed officials, whether it's a case that involves cotton or wheat, or automobile tires, or fresh fish. Morals transcend all of these things. Morals are universal.

I asked the Senator what could be done. He said that the only thing that could be done would be for suits to be brought in Federal courts, or for the public of the Nation to raise such a protest and to present such a demand on Members of Congress that the Senate and House of Representatives would, perhaps, pass a resolution to the President, condemning the action of Mr. Bowles and demanding a repudiation of it.

He said that action depends upon what sort of demonstration of public opinion is forthcoming from the people of the Nation in the form of letters and telegrams to Congress from their constituents back home.

There is the situation, ladies and gentlemen. From here on, it's up to you.

The PRESIDENT pro tempore. The bill is before the Senate and open to further amendment. If there be no further amendment to be offered, the question is on the third reading of the bill.

The bill was read the third time.

Mr. BALL. Mr. President, I move that Senate bill 1349 be recommitted to the Committee on Education and Labor.

Mr. GURNEY. I suggest the absence of a quorum.

Mr. BARKLEY. Mr. President, if we must consider the motion to recommit, it will be necessary to have a quorum call. I am prepared to move that the Senate recess until 12 o'clock noon tomorrow.

Mr. KNOWLAND. Mr. President, I also suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from South Dakota has suggested the absence of a quorum.

Mr. BARKLEY. Will the Senator withdraw his suggestion of the absence of a quorum? There is no use trying to obtain the presence of a quorum now.

Mr. RUSSELL. I think a quorum is now present.

Mr. GURNEY. I do not like to see the bill passed unless more Members of the Senate are present.

Mr. BARKLEY. If my motion to recess is agreed to, we will not pass the bill

until tomorrow. However, I withdraw my request that the Senator from South Dakota withdraw his suggestion of the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BALL. Mr. President, I ask unanimous consent that the quorum call be vacated.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the quorum call is vacated.

The question is on agreeing to the motion of the Senator from Minnesota [Mr. BALL] to recommit the bill. [Putting the question.] The "noes" appear to have it. The "noes" have it, and the motion is rejected.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, I announce to the Senate, before Senators disperse, that it is my purpose to move a recess until tomorrow, and that tomorrow the Senate take up the conference report on the so-called Petrillo legislation. I hope also we may pass the soldiers' vote bill, which is on the calendar ready for action.

BROADCASTING OF NONCOMMERCIAL CULTURAL OR EDUCATIONAL PROGRAMS

Mr. MORSE. Mr. President, in view of the fact that the Senate is to consider the so-called Petrillo bill tomorrow, I ask that there be published in the body of the Record an article which appeared in the Christian Science Monitor April 2, written by Mr. Richard L. Strout, entitled "Is Anti-Petrillo Bill Tight Enough?"

There being no objection, the article was ordered to be printed in the Record, as follows:

IS ANTI-PETRILLO BILL TIGHT ENOUGH?

(By Richard L. Strout)

WASHINGTON.—Even the authors of the wartime antistrike Smith-Connally Act now admit that it failed of its purpose. President Roosevelt vetoed it, but it was promptly passed over his veto. It was a bill directed at John L. Lewis, who did not mind it at all. It was an example of bungling legislation.

Now another bill is practically through Congress, directed at James Caesar Petrillo, head of the A. F. of L. Musicians' Union. It passed the House originally, 222 to 43, last month. On the second vote on the conference version the House lined up 186 to 16. So far the Senate has had no opportunity to vote on the measure except as a very much less detailed proposal, which it passed, without record vote, on February 1, 1945. How it will feel toward the Lea version (H. R. 5117) remains to be seen.

Of Mr. Petrillo himself, the less said the better. It is impossible to defend his attitude and his disregard of public opinion. Mr. Petrillo doesn't seem to know the kind of a world he is living in. He does organized labor a grave disservice.

Under these circumstances it would seem reasonable that Congress could do a competent job on the abuses which Mr. Petrillo represents. An effective legislature should

be able to formulate competent measures to cure a given situation. There is grave doubt, however, whether the House has done so in this instance. According to the legal saying, bad cases make bad laws. It is questionable whether the anti-Petrillo bill, as the House has formulated it, is wise in some of its far-fung provisions; and some conservatives on the floor of the House challenge its constitutionality.

This bill does not apply merely to musicians. It applies to about anybody working on or around broadcasting stations and threatens to set important precedents for almost anybody drawing a royalty.

The language is loose. At one point there is the phrase "by other means," which seems to include strikes, and the penalty for invoking these "other means" may be a \$1,000 fine or jail sentence of a year. This was too strong for Representative CHARLES A. HALECK, Republican, of Indiana, a reasonable middle-of-the-roader. He proposed substituting, as a penalty, loss of rights under the Wagner Act, the proposal made in the Case bill. The House voted him down. Yet prison terms for refusing to work are surely uncommon in American jurisprudence.

Representative HOWARD W. SMITH, Democrat, of Virginia, co-author of the Smith-Connally Act, was asked whether workers who violated the provisions would be subjected to indictment, prosecution, and imprisonment.

"If 5 men, or 1 man, or 500 men violate the provisions of this act by doing any one of the things narrated therein," Mr. SMITH replied, "we might as well be frank about it, they subject themselves to the penalty of this bill."

Even the implied threat of strikes would apparently expose workers to criminal penalties.

The bill also enters a very complex and debatable field, the field of the artist versus the machine. Musicians have seen their performances recorded and then played over again on radios and juke boxes with misgiving. They are paid for their first performance, but how about all the others from canned music? In justice, is not some kind of fee or royalty for reproduction a reasonable objective? An author under copyright gets a royalty on each book sold; a music writer for each sheet of music. How about the performer, himself? Should he be debarred from appropriate fees on the multiple reproduction of his talent by mechanical means?

Perhaps this matter is debatable. But the pending bill seeks to fix the arrangements that are to exist between the musicians and the broadcasting companies. It would apparently ban such musicians' fees, or at least would ban them if they were backed up by strikes, or the threat of strikes.

It is hard to discuss a measure calmly in which James Caesar Petrillo figures. Yet, as one House Member put it, "I come not to praise Caesar—but I do not come, either, to bury the rights of labor."

LEAVES OF ABSENCE

Mr. RUSSELL. Mr. President, in view of the fact that I am compelled to be away from the city for a few days, I ask unanimous consent that I may have leave of absence from the Senate for a week.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I ask unanimous consent to be absent tomorrow. I had already made arrangements to be in California.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MAYBANK. Mr. President, I ask unanimous consent that I may be absent tomorrow and perhaps Monday. I shall return Monday, if possible.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I ask unanimous consent that I may be absent from the Senate tomorrow and such days next week as may be necessary to enable me to carry out my duties in connection with the Board of Visitors to the Naval Academy at Annapolis.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. LANGER. Mr. President, I ask unanimous consent that I may be absent tomorrow and Monday.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

THE REPUBLICAN NATIONAL COMMITTEE—STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, I ask that there be published in the body of the RECORD as a part of my remarks a statement I made in regard to the meeting of the Republican National Committee on April 1, last. I ask to have it in the body of the RECORD because there has already been published in the RECORD a statement of criticism of my comments, and in view of the fact that the statement in the RECORD does not contain my comments, I should like to have the Members of the Senate at least have a record of what those comments were.

Along with that statement as part of my remarks I should like to have published in the body of the RECORD an editorial which appeared in this morning's Washington Post entitled "GOP Chairman." It certainly is in support of the position which I took.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WAYNE MORSE

The meeting of the Republican National Committee at the Statler Hotel last night was a grand flop. If the program, which its leaders announced at the banquet, is to constitute Republican policy during the next 2 years, the Republican National Committee will reelect Harry Truman in spite of everything he is doing to defeat himself.

We listened to the same old clichés and reactionary nostrums ad nauseum which have produced Republican defeats since 1932. It is fortunate for the Republican Party that the overwhelming majority of Republican voters are progressive and forward looking. If they are given the chance, along with several million independent voters, to vote for forward-looking Republican candidates, the Republican Party will win in 1946 and 1948 irrespective of everything the reactionaries in control of the party machinery did yesterday to prevent it.

[From the Washington Post of April 5, 1946]

GOP CHAIRMAN

From the nature of the oratory which broke loose when the Republican National Committee met here the other day it is obvious that some GOP leaders are giddy over the prospects of victory in 1946 and 1948. They apparently consider their outlook more hopeful than at any time since 1928. But the committee gave no evidence that it is rising to the occasion with a new sense of responsibility. On the contrary, it turned out a typically uninspiring Old Guard performance.

Representative B. CARROLL REECE, who was elected Republican national chairman to direct the 1946 congressional campaign, is a

wheelhorse who pulls for the most conservative faction of the GOP. His name was placed in nomination by Representative J. CLARENCE BROWN, a Bricker supporter. His voting record has the virtue of party loyalty, which means that it is largely negative and obstructionist. Former Gov. Harold E. Stassen, who has a large following among the more progressive elements of the party, hastened to take issue with Mr. REECE's "stand on many issues in the past" and to point out that his election as chairman should not constitute a decision on party policies and platform.

If the Republican hierarchy believes that the public will follow regardless of where it leads in 1946 and 1948, a rude awakening is probably in store. It is reasonable to assume that the GOP does have a great opportunity growing out of the fact that it has been the minority party through a period of peril and toll almost inevitably followed by a period of confusion and difficult retrenchment. But in our opinion, it will miss that opportunity if it assumes that the people will be content to relax and drift back to an era that, for better or worse, is gone. What is required now is vigorous leadership for the restoration and maintenance of peace.

INDUCEMENTS TO CITIZENS TO MAKE THE NAVY A CAREER

Mr. O'MAHONEY. Mr. President, for the use of the Senate, and for the Senate Committee on Military Affairs, I ask unanimous consent that the bill (S. 1438) to provide additional inducements to citizens of the United States to make the United States Naval Service a career, and for other purposes, be printed as passed by the House of Representatives with the amendments numbered.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of William G. Johnson, of Wyoming, to be register of the land office at Cheyenne, Wyo., which was referred to the Committee on Public Lands and Surveys.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. THOMAS of Oklahoma, from the Committee on Agriculture and Forestry.

Norris E. Dodd, of Oregon, to be Under Secretary of Agriculture.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

UNITED NATIONS COMMISSION ON ATOMIC ENERGY

The legislative clerk read the nomination of Bernard M. Baruch to be representative of the United States of America on the United Nations Commission on Atomic Energy.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.